

SAMPLE -- SAMPLE -- SAMPLE -- SAMPLE -- SAMPLE

(This sample form is also available on diskette)

PETITION FOR PLANNED DEVELOPMENT ZONING DISTRICTS

The Petition: There is no legally prescribed form for the petition. The following format has been used and provides the essential information:

The undersigned, who are registered voters of Lexington, request that the Board of Selectmen insert the following article in the Warrant for the [year] Annual Town Meeting.

- OR -

The undersigned, who is the owner of the property to be rezoned in Lexington, request that the Board of Selectmen insert the following article in the Warrant for the [year] Annual Town Meeting.

To see if the Town will vote to amend the Zoning By-Law of the Town of Lexington by changing the zoning district designation of the land described below from the [current zoning districts(s) of the land] --- [letter symbol of district] ----- [full title of the district] to [proposed zoning district] -D, [letter symbol of district] Planned ----- [full title of the district] district, said property being #-- Avenue [if a street number has been assigned], [or insert a general geographic reference such as 'near the intersection of Ford and Nixon Streets', or 'on the east side of Carter Boulevard'], commonly known as the ----- property [if there is a general reference name in common usage, such as the 'Truman property'], to allow construction of ----- [Describe what is to be constructed in 3-5 words.]

The land proposed to be rezoned consists of an approximately +- acre site bounded:

[insert here a generalized perimeter description of the boundary; a more detailed metes and bounds description is to be attached as an appendix]

northwesterly by ----- Avenue,

easterly by land now or formerly of -----, Inc.;

southeasterly by land now or formerly of ----- Company and

westerly by land now or formerly of ----- and ---- -----,

said property being more fully described: 1) by a written metes and bounds description, and 2) by a plan of the land entitled "Plan of Land in Lexington, MA for Proposed Rezoning", dated -----, 20-- by the XYZ Engineering Co, -----, MA copies of which accompany this petition and are incorporated herein by reference and are on file with the Board of Selectmen, the Planning Board and the Town Clerk.

The preliminary site development and use plan for the [proposed zoning district] -D, [letter symbol of district] Planned ----- [full title of the district] district, shall be the plan dated -----, 20-- filed with the Planning Board and Town Clerk, or as subsequently revised and filed with the Planning Board and Town Clerk, in accordance with the requirements of the Zoning By-Law; or act in any other manner in relation thereto.

_____	_____
[signature]	[address]
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

etc.

The signature of the property owner of the land to be affected by this rezoning is required. In this context, the property owner means all persons who have a legal interest in the land.

- OR -

The signatures of at least ten (10) registered voters are required on the petition; the signatures of at least (15) are recommended in the event the Town Clerk does not certify a signature because of an error. It is desirable that the first signature be one of the principals if he/she is a registered voter in Lexington. The address of each registered voter must be indicated. For a Special Town Meeting, the signatures of one hundred (100) registered voters are required and the wording of the petition must be changed slightly [Talk to the Planning Department].

The signatures must be on the same page as at least part of the text of the petition to show that those signatures relate to that petition. If there is not enough room for all the signatures on the same page, make multiple copies of the text with room for some of the signatures on each page.

One original copy with signatures is required. Four additional copies (photocopies are acceptable) are helpful.

Map of Area Proposed to Be Rezoned:

The petition must be accompanied by a map of the area proposed to be rezoned. The map is intended to be a location-orientation map for the general public that shows the neighborhood and significant streets nearby. It should show adjoining streets indicating whether they are public ways or unaccepted streets. The names of the current owners of all abutting properties should be shown on the map.

This map is a general location map. It shows a larger area than property proposed to be rezoned. It is different than a property map that might accompany the metes and bounds description.

The map should be an original transparency on mylar or lined tracing cloth. The map should be prepared by a registered land surveyor. The dimensions of the metes and bounds shall be shown. The format should be as close as possible to the sample attached to this sample. The north arrow should point to the top of the page. Please use Helvetica sans serif lettering or its equivalent. The applicant must furnish one map at 8½" x 11" at a common engineering scale. (This map may be a photographic reduction of the map drawn at a larger scale provided the reduction results in a common engineering scale, shown in inches). For further information on preparing the map see §175-74B through E of the Planning Board's *Development Regulations*.

This map is used in several different ways. First, it accompanies the petition and is the official visual record of the zoning district, if approved. Second, a transparency is made from it for use on an overhead projector at the Planning Board public hearing and the Town Meeting. Third, the Town Meeting Members Association may publish it in their informational booklet. Fourth, if the amendment is adopted, the map will be published in the "Zoning District Maps", a booklet published by the Planning Board which is a part of the Lexington Zoning By-Law.

The applicant should also furnish an acetate transparency suitable for the Town's overhead projector - for use at the public hearing and at the Town Meeting. A mylar original is not suitable for the overhead projector; it must be an acetate transparency.

Please submit one copy of the map on cloth or mylar, one copy on clear acetate for the overhead projector, and two blackline prints.

EXAMPLE -- FORM OF METES AND BOUNDS DESCRIPTION -- EXAMPLE

[To be submitted as an attachment to the rezoning petition]

A certain parcel of land situated in the town of Lexington, Middlesex County, Commonwealth of Massachusetts; said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the southwesterly sideline of Hoover Street, said point being three hundred twelve and sixty eight hundredths (312.68) feet from the intersection of Hoover Street and Coolidge Avenue; [reference to a bound defining the street right-of-way is desirable]

NORTHERLY, by land now or formerly of Roosevelt, two hundred twenty one (221) feet; [you may include bearings if available]

WESTERLY, by Ford Street, four hundred forty (440) feet,

SOUTHERLY, by land now or formerly of Truman, forty four and 12 hundredths (44.12) feet;

EASTERLY by land of now or formerly Reagan, three hundred sixty eight (368) feet,
to the point of beginning;

comprising ___ acres of land, more or less; all such distances being approximate.

Said land is shown on a plan entitled "Plan of Land in Lexington, MA for Proposed -D, -----
[initials and name of district] Rezoning", dated ---- --, 20-- by -----, Registered Land
Surveyor, of -----, Massachusetts, or by the XYZ Engineering Co, -----, MA [or for an existing
plan, the title of the plan, the name of the land surveyor engineer, and recorded with Middlesex County
South District Registry of Deeds in Book ----, Page ----.]

[This metes and bounds is to be a perimeter description of the land **to be rezoned**. Depending on the
existing zoning district boundaries, that might be different from the perimeter description of the property.
If the petitioner submits a plan of the existing property, it should generally follow the requirements for an
Approval Not Required plan as outlined in §175-38C and D of the Planning Board's *Development
Regulations*.]

Description:

The Warrant distributed to residents of the town includes a brief 5-6 line description, of what is proposed.
It is written in simple English, in contrast to the more technical style used in the Warrant Article. It is
intended to be a neutral, objective description and should provide the who, what, where essentials so that
the average resident of the town can understand what is proposed. It is not intended to be an advocacy
piece for the petitioners.

A typical form is:

DESCRIPTION: This citizens' petition submitted in behalf of the ----- Corporation (-----
---- name of principal) would allow for the construction of a ----- [describe the type of
development] at ----- Avenue. The proposal is for a [provide some numerical measures of the
size of the proposed development dealing with number of dwelling units, amount of floor area,
number of parking spaces, etc.]

Please submit the Description on a separate piece of paper. It should not be included in the petition.

Prepared by Lexington Planning Department